

**REMARKS**

Reconsideration and allowance of the subject application are respectfully requested. Claims 1-3, 5-8, 10-15, 17-21, and 23-33 are now pending in the present application. Claims 1, 6, 11, 12, 13, 19, and 25-27 are independent claims. In this Reply, Applicants have amended independent claims 11 and 25 and have added new dependent claims 28-33.

**Prior Art Rejection**

Claims 1-3, 5-8, 10-15, 17-21, and 23-27 stand rejected under 35 U.S.C. § 103 as being unpatentable over Moghadam et al. (U.S. Patent 5,799,219) in view of Farros et al. (U.S. Patent 5,930,810) and an article from PC Magazine Online entitled "Photo Finish on the Web."<sup>1</sup> This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed.

As stated on pages 2-3 of the Office Action, the Examiner relies on the primary reference, Moghadam, as teaching most claimed features, relying on the secondary reference, Farros, merely for the alleged suggestion of displaying print service information to the user. For at least the following reasons, Applicants submit that the stated grounds of rejection fails to establish *prima facie* obviousness of any pending claim.

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<sup>1</sup> Although "Photo Finish on the Web" is mentioned in the rejection summary, Applicants fail to see any reliance on this reference in the body of the rejection. If this rejection is maintained, Applicants request clarification of how the teachings of this article are being relied on to assert obviousness.

With regard to independent claims 1, 6, 12, 13, 19, 26, and 27, Applicants note that these claims each require that both picture image data and "printing service information" be recorded in a recording medium. As discussed in the disclosure, storing the "printing service information" on the recording medium along with the picture image data allows such information to be updated upon processing so that the recording medium returned to the print order customer includes updated printing service information indicating the current printing service capabilities of the printing service provider. For example, as illustrated in Fig. 2, a menu of services associated with picture image data may be updated when there has been a change in printing service options available. (See e.g., menus 12 and 13 in Fig. 2).

Applicants fail to find any teaching in Moghadam that the "menu" displayed to the user for print selection is recorded in a recording medium with the picture image data. It appears that the menu of Moghadam is fixed. This can be seen from Fig. 3 (showing a menu display) because the fact that the menus are displayed on the data inputting screen demonstrates that the menu itself is not information retrieved from the recording medium containing the picture image data.

With regard to independent claims 11 and 25, these claims have been amended to specify that "the photo finishing system associates updated printing service information with the image data indicating current printing service capabilities of the print generating unit."

Applicants fail to find any teaching or suggesting of such a feature in Moghadam.

Applicants further submit that the secondary references fail to make up for the deficiencies of Moghadam.

Regarding dependent claims 2, 3, 5, 7, 8, 10, 14, 15, 17-21, 23, and 24, these claims are each allowable for at least the reasons of their corresponding independent claim. Furthermore, newly-added dependent claims 28-33 further define over the applied prior art by specifying that "the printing service information is updated printing service information indicating current printing service capabilities. . . ."

For at least the above reasons, Applicants respectfully request that the Examiner reconsider and withdraw the prior art rejection based on the asserted combination of Moghadam, Farros, and the article entitled "Photo Finishing on the Web."

### **CONCLUSION**

In the event that there are any pending matters remaining in the present application, the Examiner is invited to contact the undersigned at (703) 205-8000 in the Washington, D.C. area, to discuss this application.

Attached hereto is a marked-up version of the changes made to the application by this Amendment.

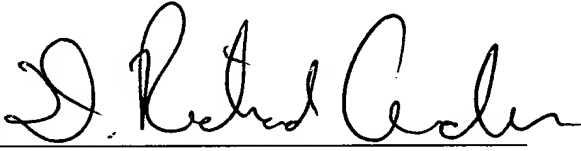
Serial No. 08/979,567

Pursuant to 37 C.F.R. 1.17 and 1.136(a), the Applicants respectfully petition for a one (3) month extension of time for filing a response in connection with the present application, and the required fee of \$920.00 is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. 1.16 or under 37 C.F.R. 1.17; particularly, extension of time fees.

Respectfully submitted,

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Attachment: Version With Markings to Show Changes Made

**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**IN THE CLAIMS:**

The claims have been amended as follows:

11. (Three Times Amended)

A photo finishing system comprising image data obtaining means which obtains high resolution picture image data, print ordering information obtaining means which obtains print ordering information regarding the high resolution picture image data, and print generating means which carries out a variety of printing processing based on the print ordering information, wherein

the print ordering information obtaining means obtains print ordering information [have been] generated [by] using printing service information and the high resolution picture image data displayed on a predetermined order screen as print services which can be provided for the high resolution picture image data, and

the print generating means carries out a variety of printing processing for providing the printing service displayed as the printing service information, based on the print ordering information;

wherein the printing service information includes a plurality of attributes including size and kind and the name of an apparatus and/or a service provider by which the printing service information has been displayed on the order screen and the photo finishing system associates updated printing

service information with the image data to indicate current printing service capabilities of the print generating means.

25. (Three Times Amended) A photo finishing system comprising:

an image data obtaining unit which obtains high resolution picture image data from a user;

a print ordering information obtaining unit which obtains print ordering information regarding the high resolution picture image data from the user; and

a print generating unit which carries out a variety of printing processes based on the print ordering information, wherein the print ordering information is generated using printing service information and the high resolution picture image data displayed on a user device;

wherein the printing service information includes a plurality of attributes including size and kind and the name of an apparatus and/or a service provider by which the printing service information has been recorded in the recording medium and the photo finishing system associates updated printing service information with the image data to indicate current printing service capabilities of the print generating unit.

New claims 28-33 have been added.